

Immigration judges accuse Justice Department of unfair labor practices



A June 2018 courtroom sketch shows an immigration court in Arlington, Virginia.

Washington (CNN) — The union representing hundreds of US immigration judges is accusing the Justice Department of unfair labor practices.

The National Association of Immigration Judges outlined its claims in two filings submitted to the Federal Labor Relations Authority on Friday.

One filing centers around a link to a [white nationalist blog post](#) that was circulated in a daily briefing to employees of the department's Executive Office for Immigration Review in August.

"The intentional publication of this blog post has the effect of interfering with, restraining and coercing employees in the exercise of their rights," the union's

petition says, noting that in addition to using anti-Semitic slurs to describe leaders of the judges' union, the blog post called for the union to be decertified.



Another filing from the union accuses the Executive Office of Immigration Review of failing to respond to a request for information during collective bargaining.

Speaking at the National Press Club in Washington on Friday, Judge A. Ashley Tabaddor, the union's president, slammed what she described as continuous efforts by the Justice Department to undermine the union and interfere with judges' work.



"We will not stand idle while the efforts to undermine the independence of our courts relentlessly persist," she said.

American Immigration Lawyers Association Second Vice President Jeremy McKinney, American Bar Association President Judy Perry Martinez and National Association of Immigration Judges President Ashley Tabaddor speak at the National Press Club.

The Justice Department [has called for the judges' union to be disbanded](#), arguing that immigration judges are management officials.

The Executive Office for Immigration Review, which oversees US immigration courts, did not immediately respond to a request for comment on Friday's filings.

A spokeswoman for the office previously told CNN that the news briefing sent in August was compiled by a contractor.

"The blog post should not have been included," Kathryn Mattingly, the office's assistant press secretary, said last month. "The Department of Justice condemns anti-Semitism in the strongest terms."

Mattingly also said at the time that the daily briefings would no longer be distributed.



Tabaddor, who has been an outspoken critic of numerous policy changes affecting immigration courts, said judges are increasingly facing unfair pressures such as case completion quotas and the removal of their power to administratively close cases.

"Every judge now has a sword hanging over his or her head on a daily basis," she said.

Tabaddor said judges hearing cases under the administration's so-called Migrant Protection Protocols program, which forces some asylum seekers to wait in Mexico while their cases make their way through the system, have privately admitted that such pressures are influencing their work.

"With every decision, the judge has to weigh the risk of being fired against the oath of office he or she has taken," she said. "And we have already seen the impact of this travesty with the 'Stay in Mexico' or the MPP program, where judges have confided that they have made rulings out of fear of losing their jobs."

CNN's Caroline Kelly, Paul LeBlanc, Geneva Sands and David Shortell contributed to this report.